

Judges Act and Financial Act

country, including intelligent people in the university service.

I am almost scared to mention this. We have seen one of the deans of the university service, and in no circumstances would I want him advising any judge in any place. He himself does not believe in the law. Most of these people have an ivory tower approach which is usually an idealistic one. Young people also come into the world with an idealistic approach. Some of that will rub off on the judges who will sit around in these seminars and kick around the question whether Parliament has been kind enough to them in this bill or whether it should have done more in its provisions for them or their widows and dependants. After all, these are the subjects which are kicked around in seminars, or at least in many of those I have attended. We are at least as interested in our own welfare as we are in anything else, and I do not think judges are very different.

We are faced in this country with a number of young people who are drug oriented. We are also faced with an adult population which is cocktail oriented. It seems to me that our law does not take into consideration these two new societies. It may well be that every kid under 15 today will be on drugs when he reaches the age of 20, though I hope not. But if we depend upon the judiciary to make it not so, I am afraid we shall be disappointed. It may be that society ten years from now will look on drugs as we look on social alcohol today. Mr. Speaker, you would not be popular if you invited us to have a social afternoon and there was no alcohol—

Some hon. Members: Why not?

Mr. Peters: It may be that in future people going to a social gathering will be popping pills of some kind. Whether they do or not, a large portion of our society is involved. It will not be good enough for an old judge who is just getting over a hangover to say to a young guy with long hair, "You will get the maximum sentence. You should be put away. I would hang you if I could; enforce the law to the limit" and believe that will get rid of the problem. There are people in the academic world who have studied this problem and they agree this is not the solution. There may be a solution, but this is not it. There will have to be understanding and uniformity in sentencing. The judge who has a hangover may have something in common with the young fellow before him who has taken a hallucinatory drug the night before.

There are lay people who could give the judiciary some advice. It will be good advice. It will be learned advice, highly educated advice. I am not suggesting that the Minister of Justice should go out and solve the unemployment problem by calling on the Unemployment Insurance Commission and getting four or five people and appointing them to the judiciary. He has available to him the very best people in four or five categories in Canada, a cross-section of the most progressive thought in our communities. These people would be available as an advisory council. I am not sure that the minister is right when he says the judiciary will not allow him to do this. The argument is always used by the judiciary that if they do not get what they want, they will quit. At \$35,000 most of them can afford to quit, and someone will take their place.

• (3:50 p.m.)

I believe that this minister is a progressive minister and talks progressively. But he listens to advice from his department which is anything but progressive. Since I have been here I have found this true of justice ministers such as Mr. Favreau and others; their advice has been anything but progressive. I strongly urge the minister seriously to consider this amendment. In my opinion it is not dangerous. He will have control over those he will appoint. If he wishes to amend the motion to appoint them for a period of one year or five years, then I would be quite happy to agree.

I should like to see uniformity of judicial decisions established across Canada. I should like to see the members of this council improve our judicial system. I think that when the council meets there should be available to its members the advice of those who are not directly interested in day to day operations of the legal system and who can put forward ideas for change which can be translated in terms of improving our judicial system.

Although I have 40 minutes, Mr. Speaker, I do not want to talk the bill out. I am not angry at the members of the judiciary; I merely want to appeal to the minister to give consideration to tempering the decisions that will be taken by this council with the views of those who are representative of modern society, those who work in the fields of parole, social work, women's liberation and in the realm of the public defender. This is important if we are to find a solution to the problems of drugs and alcohol.

In this regard I think we can look to the John Howard Society for a parallel. I suppose John Howard was lucky to have made it. The officials in the gallery who advise the minister, learned though they are, really have not had any new ideas for a long time. John Howard did much to rehabilitate prisoners and this does not seem to have got him into any trouble. He is dead now and he may have died before they set up the John Howard Society; I do not know.

I should like the minister to examine the case of a man who has caused the justice officials a lot of trouble over a number of years, Gaston Nicholas. He lives in the province of Quebec and has set up an organization to handle criminals. He has been thus occupied for a year and a half or two years now and still has not been sent to jail, which I think is in itself an accomplishment. In the province of Quebec they have started a building program for ex-cons. A restaurant has been staffed with ex-cons and a rehabilitation job is being done. But it is something that the department will not support. Although the minister's officials will not take a chance on it, this program has been in existence for several years, a lot longer than other organizations which have been set up to help this kind of person.

There are many avenues of advice the minister can seek, but one of these days he will have to answer a lot of people who consider him to be a progressive minister. I can safely tell him that he has not presented any legislation to date that has been anywhere near as progressive as I am sure most of his generation would like.